

American Pilots' Association Political Action Committee**499 S. Capitol St., SW #409****Washington, DC 20003****202-484-0700****fax 202-484-9320**

February 5, 2004

RECEIVED
FEDERAL ELECTION COMMISSION
COMMUNICATIONS CENTER
FEB 17 11:04

Ms. Brandy Phillips, Campaign Finance Analyst
 Reports Analysis Division
 Federal Election Commission
 Washington, DC 20463

Re: FED ID #C00041061
 June Monthly Report (5/1/03 - 5/31/03)

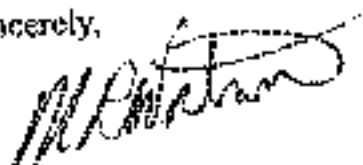
Dear Ms. Phillips:

I am writing in response to your letter of January 28, 2004 requesting an explanation of Schedule A of the above referenced report.

Please be advised that the United New Jersey Sandy Hook Pilots' Benevolent Association and the United New York Sandy Hook Pilots' Benevolent Association are not labor organizations as suggested in your letter. They are not corporations or collecting agents. They are also not political committees. Rather, these groups are unincorporated membership organizations and are contributing to the APA PAC in their own names pursuant to the advice rendered by the Federal Election Commission in Advisory Opinion AO 1988-3 (April 29, 1988). Both of these groups are similar in all relevant aspects and particulars to the Pilots' Association for the Bay and River Delaware, the "test group" selected by the FEC for the purpose of rendering the Advisory Opinion, and according to legal counsel, are thus allowed to rely on the advice expressed in that opinion.

We have addressed this question several times in the past. I am including with this letter copies of past correspondence. We would appreciate a reply confirming that your questions have been resolved.

Sincerely,



Michael R. Watson, Treasurer

Kunius & Kirchner
A Professional Corporation
 1055 Thomas Jefferson Street, N.W.
 Washington, D.C. 20007
 (202) 342-0204

RICHARD W. KUNIUS *
 PAUL G. KIRCHNER †
 PETER H. KYRUS ‡
 JOHN R. MCRAE *†

CABLE ADDRESS USLAW
 FAX (202) 337-0034
 TOLL-FREE 800-638-1111 (US & CANADA)

* ALSO ADMITTED IN MASSACHUSETTS
 † ALSO ADMITTED IN VIRGINIA
 ‡ ALSO ADMITTED IN MAINE
 * ALSO ADMITTED IN NEW YORK

June 12, 1990

Ms. Elizabeth Jones
 Reports Analyst
 Reports Analysis Division
 Federal Election Commission
 Washington, D.C. 20463

Dear Ms. Jones:

Further to our telephone conversation of yesterday afternoon, I am writing in response to your June 5 letter to Captain Pat J. Neely, Jr., Treasurer of the American Pilots' Association Political Action Committee ("APA PAC"). As I indicated, our firm serves as Counsel to the APA as well as to the APA PAC, and we can therefore address the concerns expressed in your letter.

Please be advised that the United New Jersey Sandy Hook Pilots Benevolent Association and the Hudson River Pilots' Association are not labor organizations, corporations or collecting agents as suggested in your letter. They are also not political committees. Rather, these groups are unincorporated membership organizations and are contributing to the APA PAC in their own names pursuant to the advice rendered by the Federal Election Commission in Advisory Opinion AO 1988-3 (April 29, 1988). Both of these groups are similar in all relevant aspects and particulars

Kirchner & Kirchner

Ms. Elizabeth Jones
June 12, 1990
Page Two

to the Pilots' Association for the Bay and River Delaware, the "test group" selected by the Commission for the purpose of rendering the Advisory Opinion, and are thus allowed to rely on the advice expressed in that opinion.

We would appreciate an immediate response to this letter either confirming your understanding and acceptance of the foregoing or indicating what further information you require. The immediacy of this request is based on the deadlines expressed in your letter. Thank you for your attention in this matter.

Sincerely,

Paul G. Kirchner
Paul G. Kirchner

PGK/wmm

RQ-2



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

January 28, 2004

Captain Michael R. Watson, Treasurer
American Pilots' Association Political Action
Committee
499 South Capitol Street S.W.
#409
Washington, DC 20003

Response Due Date:
February 27, 2004

Identification Number: C00041061

Reference: June Monthly Report (5/1/03 - 5/31/03)

Dear Captain Watson:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **An adequate response must be received at the Commission by the response date noted above.** An itemization of the information needed follows:

-Schedule A of your report discloses one or more contributions totaling \$10,000 from "Un. New York SH Pilots" and "Un. NJ SH Pilots," which appears to be a labor organization(s). 2 U.S.C. §441b(a) prohibits the receipt of contributions from labor organizations unless made from a separate segregated fund established by the labor organization.

If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information.

If you have received a prohibited contribution, you may have to make a refund. If within 30 days of receipt you (1) transferred the prohibited amount to an account not used to influence federal elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund, you may retain the contribution in an account not used to influence federal elections. Any request from a donor for a refund must be honored.

If the foregoing conditions for transfers to a non-federal account were not met within 30 days of receipt, the prohibited amount must be refunded. See 11 CFR §103.3(b)(1).

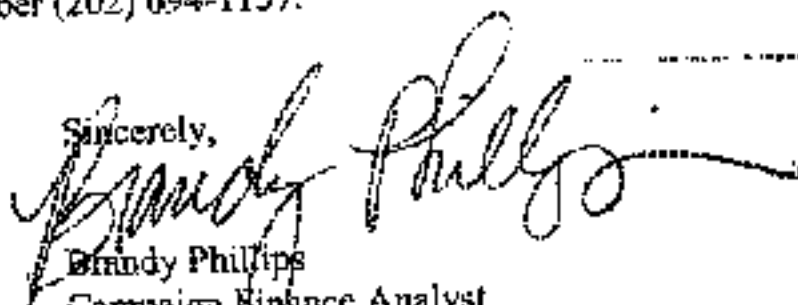
Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for any transfer-out or refund. In addition, any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report covering the period during which the transaction was made.

Although the Commission may take further legal action concerning the acceptance of a prohibited contribution, prompt action by your committee to transfer-out or refund the amount will be taken into consideration.

Unlike previous election cycles, you will not receive an additional notice from the Commission on this matter. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. Requests for extensions of time in which to respond will not be considered. Failure to provide an adequate response by this date may result in an audit of the committee. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 1, then press 2 to reach the Reports Analysis Division) or my local number (202) 694-1157.

Sincerely,



Brandy Phillips
Campaign Finance Analyst
Reports Analysis Division

**Federal Election Commission
ENVELOPE REPLACEMENT PAGE
FOR INCOMING DOCUMENTS**

The FEC added this page to the end of this filing to indicate how it was received.

<input type="checkbox"/> Hand Delivered	Date of Receipt
<input checked="" type="checkbox"/> USPS First Class Mail	Postmarked 2/10/04
<input type="checkbox"/> USPS Registered/Certified/Priority/Express Mail	Postmarked (R/C)
<input type="checkbox"/> Postmark Illegible	
<input type="checkbox"/> No Postmark	
<input type="checkbox"/> Overnight Delivery Service (Specify):	Shipping Date
<input type="checkbox"/> Received from House Records & Registration Office	Date of Receipt
<input type="checkbox"/> Received from Senate Public Records Office	Date of Receipt
<input type="checkbox"/> Received from Electronic Filing Office	Date of Receipt
<input type="checkbox"/> Other (Specify):	Date of Receipt or Postmarked
<i>ga</i> PREPARED	2/17/04 DATE PREPARED